

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GEORGE DILACIO, JR.,

Plaintiff,

08 Civ. 6959

NOTICE OF MOTION

-against-

NEW YORK CITY DISTRICT COUNCIL OF THE
UNITED BROTHERHOOD OF CARPENTERS &
JOINERS OF AMERICA, and MICHAEL J. FORDE
Personally and WILLIAM P. CALLAHAN personally,

Defendants.
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C O U N S E L:

PLEASE TAKE NOTICE, that upon the annexed affidavit of Denis R. Sheil, III, sworn to August 11, 2008, the exhibit annexed thereto, the memorandum of law dated August 11, 2008, the verified complaint and upon all of the pleadings and prior proceedings had herein, the undersigned will move before a United States District Court Judge to be assigned, located at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, on a date to be determined for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the complaint, and for such other and further relief as the Court deems and proper and just.

PLEASE TAKE FURTHER NOTICE, that pursuant to Rule 6.1(b) of the

Local Rules for the Southern and Eastern Districts, answering papers shall be served not later than 10 business days from the date of service of the moving papers.

Dated: New York, New York
August 11, 2008

Yours, etc.,

O'DWYER & BERNSTIEN, LLP

By: 

GARY SILVERMAN (GS9287)

Attorneys for Defendants

District Council and Forde

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